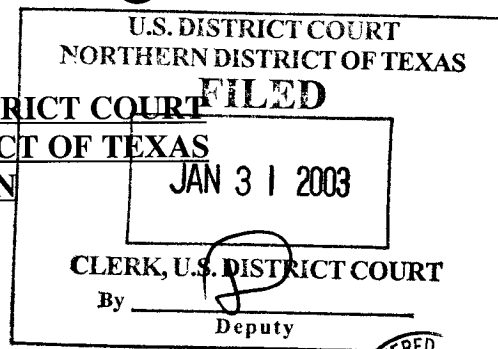


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



THE UNITED STATES OF AMERICA

vs.

BAYAN ELASHI (1)  
GHASSAN ELASHI (2)  
BASMAN ELASHI (3)  
HAZIM ELASHI (4)  
IHSAN ELASHYI (5)

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3:02-CR-052-R

PRETRIAL ORDER

1. This case is set for trial on this Court's four-week docket beginning October 6, 2003. You are expected to be ready for trial on two (2) days notice any time during this four-week period. Any potential conflicts must be called to the attention of the Court in writing within ten (10) days from the date of this Order.

2. By August 1, 2003, the Government shall provide **full discovery** to each defendant in accordance with Rule 16(a), Fed. R. Crim. P., and by August 8, 2003, each defendant shall provide full discovery to the Government in accordance with Rule 16(b).

3. By August 1, 2003, the Government shall, in accordance with Brady v. Maryland, 373 U.S. 83 (1963), provide each defendant with all of the exculpatory evidence it possesses concerning that defendant.

4. The Government shall provide each defendant with all Jencks Act material (18 U.S.C. § 3500) on the day prior to the testimony of the witness to whom such material relates. The defendant shall do likewise.

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5. By **August 22, 2003**, all **pretrial motions** shall be filed and they must comply with Local Rule 47.1. Discovery motions and motions for a bill of particulars will be denied in their entirety unless they are limited to the specific matters actually in dispute, **after conference with opposing counsel**, as required by Local Rules 47.1(a) and (b).

6. By **September 5, 2003**, the **Government's response** to the pretrial motions shall be filed, and any reply by the defendant(s) shall be filed by **September 12, 2003**.

7. By **September 19, 2003**, the **Government's pretrial material** shall be filed. And, by **September 26, 2003**, the **defendant's pretrial material** shall be filed. Specifically, pretrial material shall include:

a. **A list of witnesses** shall be filed by each party -- which divides the persons listed into groups of " **probable** witnesses," " **possible** witnesses," " **experts**" and " **record custodians**"; which states **name and address** of each witness; and which contains a brief **narrative summary** of the testimony to be covered by each witness. (Modification of Local Rule 16.1(b)).

b. **A list of exhibits** and a **designation of portions of depositions** to be offered at trial shall be filed by each party. In addition, each party shall **number the listed exhibits** with gummed labels (which may be obtained from the District Clerk's Office or the Court Reporter); shall **exchange a complete set** of marked exhibits with opposing counsel; and -- if the case is non-jury -- **deliver a set of marked exhibits to the Court's Chambers** (except large or voluminous items that cannot be easily reproduced). (Modification of Local Rule 16.1).

*(NOTE: The defendant's lists shall include only those witnesses or exhibits not already listed by the government.)*

c. Each party shall **deliver to the Court Reporter** additional copies of the **list of witnesses** and the **list of exhibits** (as required by Local Rule 16.1(b)).

d. Each party shall file **requested jury instructions**, any **motions in limine** (which must be limited to matters actually in dispute), and any **proposed voir dire questions** which the court is requested to ask during its examination of the jury. (Modification of Local Rule 30.1 and 47.1).

e. Each party shall file **written statement** covering these matters: (i) the approximate **length of trial**; (ii) the status of any **plea bargaining** negotiations; (iii) any **scheduling problems** which the attorneys, parties or witnesses have during the trial docket; and (iv) any **additional matters** which would aid the disposition of this case.

**NOTE:** Deadlines in this Order are dates for the **filing** of pretrial material, **not mailing** dates.

8. A **final pretrial conference** in this case is set for **October 3, 2003** at **9:00 a.m.**

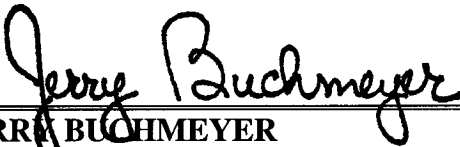
All pretrial motions will be heard and resolved at that time and procedures for trial will be discussed. The defendant(s) need not be present.

**[At the final pretrial conference, it should be possible to assign the specific date for trial during the four-week docket. Telephone calls about the probable trial date prior to the final pretrial conference will usually do nothing more than waste your time and ours.]**

9. **SANCTIONS will be imposed if these pretrial requirements are not met.** If the **Government** does not timely file the pretrial material, the case will be dismissed. Any **defendant** who does not timely file the required pretrial material will not be permitted to present witnesses or exhibits at trial. **Failure to list a witness or an exhibit** shall be grounds for exclusion of that testimony or exhibit. This does not apply to exhibits or testimony offered for **impeachment**; and, the use of unlisted exhibits or witnesses for **rebuttal** shall be permitted if the attorneys could not have reasonably anticipated their need for that evidence.

10. If you have any questions about this Pretrial Order, contact Tannica Stewart, Court Coordinator, at 753-2300.

**ENTERED: JANUARY 31, 2003.**

  
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**JERRY BUCHMEYER**  
**UNITED STATES DISTRICT JUDGE**